

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7419 OF 2007

Umarkhan M. Deshmukh. Petitioner
V/s
The State of Maharashtra & Ors. Respondents.

Mr.A.G.Tangsali, Adv. For the petitioner.

CORAM: A.P.DESHPANDE, J.

5/10/07

PC:

The petitioner has raised an objection to the voters' list of ward No.2 by contending that voters from Sr.Nos.464 to 512 should be retained as voters in ward No.2 and they are wrongly shown to be voters in ward No.1. In substance the objection is to the delimitation of wards hence bar under article 243(O) of the Constitution of India would operate. Even otherwise the said objection has been considered and rejected by the Tahsildar. The voting is schedule to take place on 7.10.07. Hence I decline to interfere with the impugned order. Writ petition is thus summarily dismissed. At this stage learned counsel for the petitioner submits that he be permitted to raise the said grounds in election petition after result of the election is declared. If permissible in law, it shall be open to the petitioner to file election petition raising grounds touching exclusion of voters from ward No.2.

5.10.07